

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

LUIS MIGUEL DELGADO COLON

Case No. 18-02611-BKT

IVETTE MARIA PEREZ IBERN

Chapter 13

Attorney Name: LUIS D FLORES GONZALEZ\*

|                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>I. Appearances</b><br>Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent<br>Joint Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent<br>Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent<br><input type="checkbox"/> Prose<br><input type="checkbox"/> Appearing: | Date & Time: 6/13/2018 1:38:00PM<br><input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: to be determined.<br><input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing.<br>Creditors:<br><div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <u>Banco Popular de P.R. by Mrs. Doris Vilches</u> </div> |
| <b>II. Oath Administered</b><br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                             |
| <b>III. Plan</b><br>Date: 04/16/2018 Base: \$45,000.00 Payments 1 made out of 1 due.<br>Confirmation Hearing Date: 7/13/2018 2:30:00PM<br>Evidence of Pmt shown: Yes                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                             |
| Attorney's fees as per R. 2016(b)<br>\$3,000.00 - \$500.00 = \$2,500.00                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                             |
| <b>IV. Status of Meeting</b><br><input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued<br><input type="checkbox"/> Held/Not Closed<br><br><input type="checkbox"/> Continued<br>Continued Date:<br>Comments:                                                                                                          |                                                                                                                                                                                                                                                                                                                                                             |
| <input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments<br><input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109):<br><input type="checkbox"/> MTD Already filed, see Docket:<br><input type="checkbox"/> Other:         |                                                                                                                                                                                                                                                                                                                                                             |

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

☐ Feasibility

☐ Insufficiently funded

☐ Unfair discrimination

☐ Fails disposable income

☐ Fails liquidation value test

☐ Insuarence quote

☐ No provision for secured creditor(s)

☐ Tax returns missing

☐ State - years

☐ Federal - years

Pending/Items/ Documents:

☐ DSO Recipient's Information

☐ Evidence of being current with DSO

☐ Evidence of income

☐ Monthly reports for the months

☐ Public Liability Insurance

☐ Premises

☐ Vehicle(s):

☐ Licenses issued by:

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Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

ACP: 5

Household size: 2

Disp. Income under 1325(b)(2): \$-555.00

Notes:

Debtor(s) made of aware of their continuing obligation, during the term of the plan, to report any change in their financial/economic circumstances, particularly increases in income or acquisition of goods or property, either by payment or free of cost, for example and not limited to salary increases, donations, lottery prizes, inheritances and causes of action.

Any amendment to the plan should disclose debtor(s) last 4 digits of the social security number.

Schedule "J", line 15a discloses life insurance expense for \$265. No policy was disclosed in schedule A/B. Does this insurance has a "cash surrender" value? Debtor answered it does not have cash value.

I reviewed documentary evidence on the filing of the 2014 thru 2017 state income tax returns. They have to

The distribution to non-priority unsecured creditors is approximately 37%.

Matter (s):

1) Schedule "J", line #4d discloses expense for Homeowners Association in the amount of \$110.00 monthly. Debtors allege that they are not making these payments because they don't have sufficient funds. This presents a feasibility problem.

2) Schedule "I" discloses that debtor is retired, Debtor testified he retired and receives pension disclosed in Schedule I. It is listed as work income, but it was placed in that category in order to disclose the deductions made for the retirement loan in the amount of \$174.00 and health insurance for \$368. Debtors to clarify about the \$368 health insurance deduction because it does not appear in his paycheck.

3) Debtor to provide for direct payments to Retiro loan and it is not listed in the schedules.

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4) Provide maturity date for this loan and amend plan for Step-Up if needed.

5) Plan Part 2.2 does not indicate manner in which payments are to be made to trustee

6) Plan Part 4.3 does not disclose atty's fees paid ahead (\$500)

7) Joint debtor has an inheritance interest. It consists of a residential structure; there are 2 heirs, both parents passed away.

The following party(ies) object(s) confirmation:

s/Miriam Salwen

Date: 06/13/2018

Trustee/Presiding Officer

(Rev. 05/13)